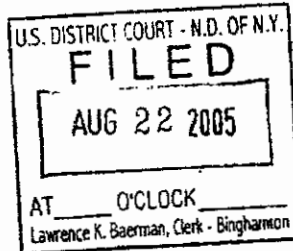




UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
OFFICE OF THE CLERK
11 COURTHOUSE WAY
BOSTON, MASSACHUSETTS 02210

Sarah Allison Thornton
CLERK OF COURT

Mr. Larry Baerman, Clerk
United States District Court
225 Federal Bldg
15 Henry Street
Binghamton, NY 13901



August 18, 2005

IN RE: MDL DOCKET No. 1456 In Re: Pharmaceutical Industry Average
Wholesale Price Litigation
USDC - Massachusetts Lead Case No. 1:01CV12257-PBS
Your Case: Civil Action No: 7:05-cv-00715 The County of Jefferson v. Abbott Laboratories, Inc. et al
District of MA No: 1:05-cv-11704 PBS

Dear Mr. Baerman :

Enclosed is a certified copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the cases on the attached listing to the U.S. District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to Title 28 United States Code Section 1407. These cases have been assigned to the Honorable Patti B. Saris.

In accordance with the Rules concerning Multi-District Litigation, please forward the original case file, * along with a certified copy of the docket entries and a copy of the transfer order for the case now pending in your district as indicated above. Also include a copy of this letter when transmitting your records to the above address.

Your prompt attention to this matter is greatly appreciated. If you should have any questions, please do not hesitate to contact the undersigned at 617-748-9113, Robert Alba, Courtroom Clerk for Judge Saris at 617-748-9175 or Christine Patch, Docket Clerk for Judge Saris, at 617-748-9178.

Sincerely,

Kimberly M. Abaid

Kimberly M. Abaid
Deputy Clerk

Information Copy to: Michael Beck, Clerk of the Panel
Counsel of Record
Robert Alba
Christine Patch

12/13/05

I hereby certify on 8/18/05 that the foregoing document is true and correct copy of the

☐ electronic docket in the captioned case

☐ electronically filed original filed on _____

☒ original filed in my office on 8/18/05

Sarah A. Thornton
Clerk, U.S. District Court
District of Massachusetts

By: [Signature]
Deputy Clerk

DOCKET NO. 1456

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUL 26 2005

FILED
CLERK'S OFFICE
FILED
CLERK'S OFFICE

2005 AUG 15 P 2:52

U.S. DISTRICT COURT
DISTRICT OF MASS

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE
LITIGATION**

The County of Madison v. Abbott Laboratories, Inc., et al., N.D. New York, ✓

C.A. No. 5:05-714

County of Jefferson v. Abbott Laboratories, Inc., et al., N.D. New York,

C.A. No. 7:05-715

CONDITIONAL TRANSFER ORDER (CTO-24)

On April 30, 2002, the Panel transferred 16 civil actions to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 58 additional actions have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Patti B. Saris.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Saris.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Massachusetts for the reasons stated in the order of April 30, 2002, 201 F.Supp.2d 1378 (J.P.M.L. 2002), and, with the consent of that court, assigned to the Honorable Patti B. Saris.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

AUG 11 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

CLOSED

U.S. District Court
Northern District of New York [LIVE - Version 2.5] (Syracuse)
CIVIL DOCKET FOR CASE #: 5:05-cv-00714-NAM-DEP
Internal Use Only

The County of Madison v. Abbott Laboratories, Inc. et al
Assigned to: Judge Norman A. Mordue
Referred to: Magistrate Judge David E. Peebles
Cause: 42:1396 - Tort Negligence

Date Filed: 06/08/2005
Jury Demand: Plaintiff
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Plaintiff

The County of Madison

represented by **Aaron D. Hovan**
Kirby, McInerney Law Firm
830 Third Avenue
New York, NY 10022
212-371-6600
Fax: 212-751-2540
Email: ahovan@kmslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joanne M. Cicala
Kirby, McInerney Law Firm
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Fax: 212-751-2540
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Email: iramirez@kmslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Abbott Laboratories, Inc.

Defendant

Agouron Pharmaceuticals, Inc.

Defendant

Alcon Laboratories, Inc.

Defendant

Allergan, Inc.

Defendant

Alpharma, Inc.

Defendant

CLERK OF THE NORTHERN DISTRICT OF NEW YORK
I, Clerk of the Court, do hereby certify that the
above is a true and correct copy of the original document filed in
this case.
12/13/05
[Signature]
Clerk of the Court

Amgen, Inc.

Defendant

Andrx Corp.

Defendant

Astrazeneca Pharmaceuticals L.P.

Defendant

Aventis Pharmaceuticals, Inc.

Defendant

Barr Laboratories, Inc.

Defendant

Bayer Corp.

Defendant

Ben Venue Laboratories, Inc.

Defendant

Biogen Idec, Inc.

Defendant

Biovail Pharmaceuticals, Inc.

Defendant

Boehringer Ingelheim Corp.

Defendant

Boehringer Ingelheim Pharmaceuticals, Inc.

Defendant

Bristol-Meyers Squibb Company

Defendant

Dermik Laboratories, Inc.

Defendant

Dey, Inc.

Defendant

Eisai, Inc.

Defendant

Eli Lilly and Company

Defendant

Endo Pharmaceuticals, Inc.

Defendant

Ethex Corp.

Defendant

Forest Laboratories, Inc.

Defendant

Forest Pharmaceuticals, Inc.

Defendant

Fujisawa Healthcare, Inc.

Defendant

Fujisawa USA, Inc.

Defendant

Genentech, Inc.

Defendant

Genzyme Corp.

Defendant

Glaxosmithkline, P.L.C.

Defendant

Greenstone, Ltd.

Defendant

Hoffman-La Roche, Inc.

Defendant

Immunex Corp.

Defendant

Ivax Corp.

Defendant

Ivax Pharmaceuticals, Inc.

Defendant

Janssen Pharmaceutica Products, LP

Defendant

Johnson & Johnson

Defendant

King Pharmaceuticals

Defendant

McNeil-PPC, Inc.

Defendant

Medimmune, Inc.

Defendant

Merck & Co., Inc.

Defendant

Monarch Pharmaceuticals, Inc.

Defendant

Mylan Laboratories, Inc.

Defendant

Mylan Pharmaceuticals, Inc.

Defendant

Novartis Pharmaceuticals Corp.

Defendant

Novo Nordisk Pharmaceuticals, Inc.

Defendant

Oncology Therapeutics Network Corp.

Defendant

Organon Pharmaceuticals USA, Inc.

Defendant

Ortho Biotech Products LP

Defendant

Ortho-McNeil Pharmaceutical, Inc.

Defendant

Par Pharmaceutical, Inc.

Defendant

Pfizer, Inc.

Defendant

Pharmacia Corp.

Defendant

Purdue Pharma, L.P.

Defendant

Purepac Pharmaceutical Co.

Defendant

Reliant Pharmaceuticals

Defendant

Roche Laboratories, Inc.

Defendant

Roxane Laboratories, Inc.

Defendant

Sandoz, Inc.

Defendant

Sanofi-Synthelabo, Inc.

Defendant

Schering Corp.

Defendant

Schering-Plough Corp.

Defendant

Serono, Inc.

Defendant

Smithklinebeeckham Corp.
doing business as
 Glaxosmithkline

Defendant

Takeda Pharmaceuticals North America, Inc.

Defendant

Tap Pharmaceutical Products, Inc.

Defendant

Teva Pharmaceutical USA, Inc.

Defendant

UCB Pharma, Inc.

Defendant

UDL Laboratories, Inc.

Defendant

Warrick Pharmaceuticals Corp.

Defendant



Watson Pharma, Inc.






Defendant

Watson Pharmaceuticals, Inc.

Defendant

Wyeth

Date Filed	#	Docket Text
06/08/2005	 <u>1</u>	COMPLAINT against Alcon Laboratories, Inc., Allergan, Inc., Alpharma, Inc., Amgen, Inc., Andrx Corp., Astrazeneca Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Barr Laboratories, Inc., Bayer Corp., Ben Venue Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Bristol-Meyers Squibb Company, Dermik Laboratories, Inc., Dey, Inc., Eisai, Inc., Eli Lilly and Company, Endo Pharmaceuticals, Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corp., Glaxosmithkline, P.L.C., Greenstone, Ltd., Hoffman-La Roche, Inc., Immunex Corp., Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, King Pharmaceuticals, McNeil-PPC, Inc., Medimmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Oncology Therapeutics Network Corp., Organon Pharmaceuticals USA, Inc., Ortho Biotech Products LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer, Inc., Pharmacia Corp., Purdue Pharma, L.P., Purepac Pharmaceutical Co., Reliant Pharmaceuticals, Roche Laboratories, Inc., Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Schering Corp., Schering-Plough Corp., Serono, Inc., Smithklinebeeckham Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Watson Pharma, Inc., Watson Pharmaceuticals, Inc., Wyeth, Abbott Laboratories, Inc., Agouron Pharmaceuticals, Inc. (Filing fee \$ 250 receipt number ALB000911) filed by The County of Madison. (Attachments: # <u>1</u> Exhibit(s) A# <u>2</u> Exhibit(s) B# <u>3</u> Exhibit(s) C# <u>4</u> Exhibit(s) D# <u>5</u> Exhibit(s) E)(ban) (Entered: 06/09/2005)
06/08/2005		Summons Issued as to Alcon Laboratories, Inc., Allergan, Inc., Alpharma, Inc., Amgen, Inc., Andrx Corp., Astrazeneca Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Barr Laboratories, Inc., Bayer Corp., Ben Venue Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Bristol-Meyers Squibb

		Company, Dermik Laboratories, Inc., Dey, Inc., Eisai, Inc., Eli Lilly and Company, Endo Pharmaceuticals, Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corp., Glaxosmithkline, P.L.C., Greenstone, Ltd., Hoffman-La Roche, Inc., Immunex Corp., Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, King Pharmaceuticals, McNeil-PPC, Inc., Medimmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Oncology Therapeutics Network Corp., Organon Pharmaceuticals USA, Inc., Ortho Biotech Products LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer, Inc., Pharmacia Corp., Purdue Pharma, L.P., Purepac Pharmaceutical Co., Reliant Pharmaceuticals, Roche Laboratories, Inc., Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Schering Corp., Schering-Plough Corp., Serono, Inc., Smithklinebeeckham Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Watson Pharma, Inc., Watson Pharmaceuticals, Inc., Wyeth, Abbott Laboratories, Inc., Agouron Pharmaceuticals, Inc.. (ban) (Entered: 06/09/2005)
06/08/2005	 2	G.O. 25 FILING ORDER ISSUED Initial Conference set for 10/6/2005 10:30 AM in Syracuse before Magistrate Judge David E. Peebles. Civil Case Management Plan due by 9/26/2005. (ban) (Entered: 06/09/2005)
07/29/2005	 3	NOTICE advising of Conditional transfer order by MDL; Case styeed pending further notice (kcl,) (Entered: 08/01/2005)
08/11/2005		NOTICE to plaintiff's counsel that the Rule 16 Conference scheduled for 10/6/05 at 10:30 AM in Syracuse before Judge Peebles has been canceled. This case has been stayed per the conditional transfer notice filed w/ this court ³ which states that this case will soon be transferred to the MDL. Case will remain open until the transfer order is filed w/ this court. (sal,) (Entered: 08/11/2005)
12/13/2005	 4	NOTICE from Judicial Panel on MDL advsing the Clerk of the District of MA that the 15 day stay period has passed; The transferee clerk shall submit a certified copy of the transfer Order to the Transferor Court (kcl,) (Entered: 12/13/2005)
12/13/2005	 5	MDL ORDER TRANSFERRING CASE to District of Massachusetts;Clerk sent Certified copy of docket sheet and transferring order (kcl,) (Entered: 12/13/2005)